UNITED NATIONS **S**

Security Council

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S/1998/957
16 October 1998
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 16 OCTOBER 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 16 October 1998 from Mr. Tariq Aziz, Deputy Prime Minister of Iraq. In the letter, the Minister gives examples of the practices on the part of the inspection teams of the Special Commission and the International Atomic Energy Agency that serve as a cover for activities of an intelligence-related character carried out on behalf of parties hostile to Iraq. He requests you to take deterrent measures in order to put a definitive end to such practices.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 16 October 1998 from the Deputy Prime Minister of Iraq addressed to the Secretary-General

On many occasions, and most recently in my letter dated 30 September 1998 addressed to you (S/1998/906, annex), I have drawn your attention to practices on the part of individuals working for the Special Commission that are prejudicial to Iraq's security and sovereignty. We have expressed serious concern with regard to these practices, and we have called attention to the fact that they make use of Security Council resolutions as a cover for engaging in actions of a manifestly intelligence-related character that bear no relation to the objectives of those resolutions or to the work of the Special Commission thereunder. This has been confirmed by the recent disclosure, in The Washington Post for 29 September 1998, of information that the former inspector Scott Ritter and other individuals working for the Special Commission have had links with the intelligence agencies of countries that have their own hostile objectives against Iraq. There was also, of course, the previously disclosed connection of David Kaye, the former American inspector with the International Atomic Energy Agency (IAEA), with the United States Central Intelligence Agency. I remind you that we also called attention at an early stage to the unprofessional actions of Scott Ritter, which were not congruent with the conduct expected of an international civil servant working under the flag of the United Nations.

The established facts, as supported by the evidence concerning these numerous egregious practices, indicate that there is an essential flaw in the Special Commission's mode of functioning and in its composition, and they threaten the very credibility and integrity of the United Nations. This reinforces the importance of our request that an official inquiry should be instituted into the actions, conduct and linkages of the Special Commission and that appropriate measures should be taken to correct them so as to safeguard the trustworthiness and impartiality of the United Nations.

These egregious practices include the demand for updated sensitive information concerning individuals or vital activities or concerning strategic installations that are closely linked with the security and the future of the people of Iraq and that bear no relation to the tasks set forth in section C of resolution 687 (1991).

I should like to provide you hereunder with some examples of such egregious practices reported over the past three months.

1. On 30 August 1998, the leader of the Chemical Group asked for the following information concerning personnel of the State Crop Protection Board who had doctoral degrees or were doctors of veterinary medicine (see appendix I): position; degree/subject; country and university or college from which degree was obtained; and date degree was obtained. Despite our pointing out to the chief inspector that, under annex II to the monitoring plan pursuant to resolution 715 (1991) and the protocols established in 1994 for sites subject to monitoring, only the total number of those working at the site and the number of

those with higher degrees were required to be provided, he nevertheless insisted on seeking the information in question. One week later, he requested the same information concerning persons with advanced degrees at the Construction Research Centre of the Ministry of Industry. When a representative of the National Monitoring Directorate (NMD) objected, the chief inspector said that the information was being requested on instructions from New York.

2. On 18 July 1998, a group from the UNSCOM 242 inspection team was engaged in diving operations in the area of the arm of the Tigris River when a train carrying military equipment passed by. The American inspector Jason Gilbert, who was supervising the diving operations, surreptitiously took photographs of the train from behind a large vehicle belonging to the Special Commission. He was seen doing this by the Iraqi escorts and was asked to destroy the film. He complied with the request and destroyed the film. At the time, we requested your Special Envoy, Mr. Prakash Shah, to investigate this incident on the grounds that such an action was obviously intelligence-related.

3. In the course of a visit by the MG-19 missile group to the Karamah Establishment on 8 October 1998, Mr. Carl Pfluger, a United States national, using his own personal camera, took a series of photographs of the warhead of a Sumud missile that was being prepared for a flight test. When a representative of the NMD, with the approval of the chief inspector, sought to take and destroy the film, Mr. Pfluger admitted that the camera was his personal property. He declined to destroy the film, indicating that it also contained some personal photographs. The NMD escort offered to take custody of the film until such time as the NMD could be briefed concerning the incident. Mr. Pfluger refused this offer. Mr. Pfluger then pretended to remove the film from the camera, which was concealed in his bag, in order to destroy it. It transpired that the film he handed over for destruction was a new one, and when the Iraqi escort examined the camera he found that the original film was still inside. Only then did Mr. Pfluger extract the film and destroy it.

4. One last shameful example of these intelligence-related practices will suffice. In June 1998, an IAEA environmental nuclear monitoring team led by an American, Jay Hyland, and consisting of three American inspectors, acting on the pretext of establishing environmental databases for the ongoing nuclear monitoring regime, sought information on every detail of Iraq's water resources, including:

(a) Discharge- and level-gauging stations;

(b) River cross-sections;

(c) River sediment and method of measurement and analysis;

(d) Dams and reservoirs and their location, the date on which they began operation, their design specifications, and their level and discharge in daily operation;

(e) Watersheds and plant cover.

The Iraqi side discussed these requests in good faith in order to determine the extent to which such information was needed. The members of the inspection team stated that they needed to formulate a mathematical model of the river system in Iraq and of the movement of sediment and that the hydrological information requested by them was for the purpose of operating this model. The specialists at the Iraqi Ministry of Irrigation evinced their lack of conviction that the model in question would advance the objective of the ongoing monitoring regime. They stated that that objective could be achieved by gauging heavy elements in the water associated with nuclear activities and that there was no need for information so detailed as to include an inventory of the country's water resources, their modes of operation and their uses.

In September 1998 another team, this one led by Jacques Baute, a French national, and consisting of two American inspectors, Ned Wogman and David Swindle, requested the same information. Examination of the mathematical model showed that it was one for river-water flow and that, in view of its range and comprehensiveness, it would require information to be gathered on all the water resources in Iraq.

The objective of the monitoring regime is that Iraq should not engage in prohibited nuclear activities. This can be achieved by taking samples of water and sediment, and there is no justification for obtaining every piece of information concerning water resources and their uses in Iraq. It is our conviction that any insistence on seeking this information is nothing but espionage on strategic water resources in Iraq. This is information of a sensitive political character.

I am transmitting with this letter a description of the mathematical model in question and of the information requested in its regard (see appendix II), which will leave no room for doubt that this is an intelligence-related information gathering operation targeting water resources in Iraq.

We believe that these are not individual, isolated incidents but are closely linked with the relations of the Special Commission and of some IAEA elements with parties hostile to Iraq. They are also linked with the unique working methods of the Special Commission, which are not in keeping with the conduct expected of a body operating under the auspices of the United Nations. In addition to an official inquiry, I also request you to take the necessary measures against those individuals working for the Special Commission who play roles such as those depicted and who engage in practices that jeopardize the security and sovereignty of Iraq.

The persistence of these egregious practices and failure to take deterrent measures to put a definitive end to them will force Iraq to take the appropriate steps to protect its security and sovereignty.

(Signed) Tariq AZIZ
Deputy Prime Minister

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Employees With Academic Education

Name	Position	Degree/ Subject	Obtained from (Univ., College etc.)	Date obtained

Plant / Facility:

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Appendix II

Working Draft

Modeling Approach

The river system will be represented by a number of subbasins and associated channel reaches. Runoff and sediment from each subbasin are input to the associated reach of channel. The river model is used to route the water, sediment, and any nuclides through the channel system based on simulated hydraulic conditions under the prescribed boundary and input conditions. Output from the model is planned to include a time series of nuclide concentrations at selected channel locations. The availability of the following data are required to be determined for this modeling approach:

River Discharge

- Location
- Period of record
- Reported frequency (mean daily or hourly, preferred).
- Cross-sectional geometry (for river model hydraulic calculations)
- Rating curve (stage-discharge) with elevations
- Data storage characteristics (paper or electronic)

Current data will be used as input to river model links. Current/historic data can be used to define runoff relations (discharge/unit area) for application to ungauged basins.

Sediment

- Location
- Period of record
- Date/time and discharge when sampling
- Method of measurement
- Data storage characteristics

Current data will be used for sediment input to river model links. Current and historic data can be used to estimate watershed sediment yields.

Dams and Reservoirs

- Location
- Start of operations
- Min-normal-max pool elevations
- Maximum outflow

Data will be used to model flow regulation by the project.

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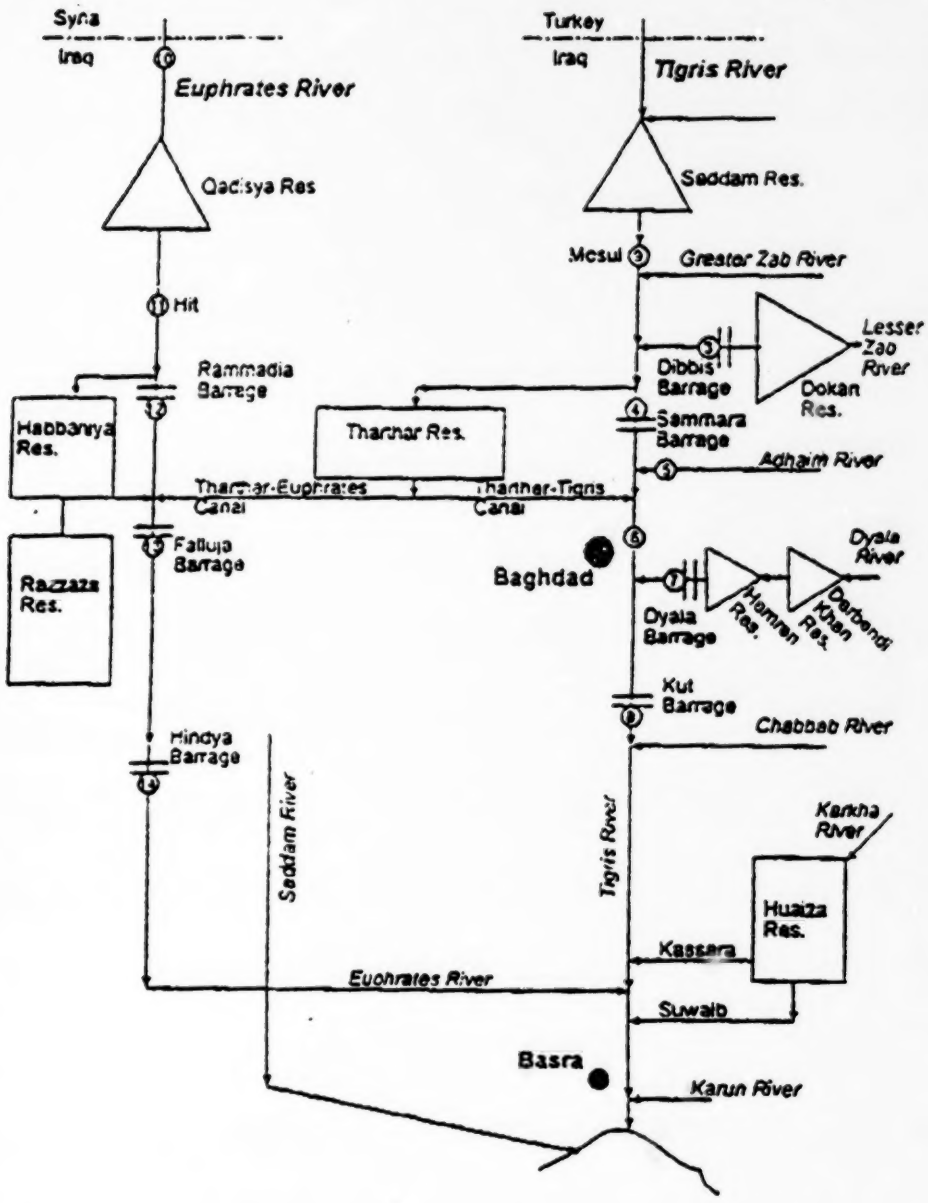
Watershed Data

- Land cover/land use
- Distribution of soil types

Data will be used to refine watershed runoff and sediment yield calculations.

River-Reservoir System

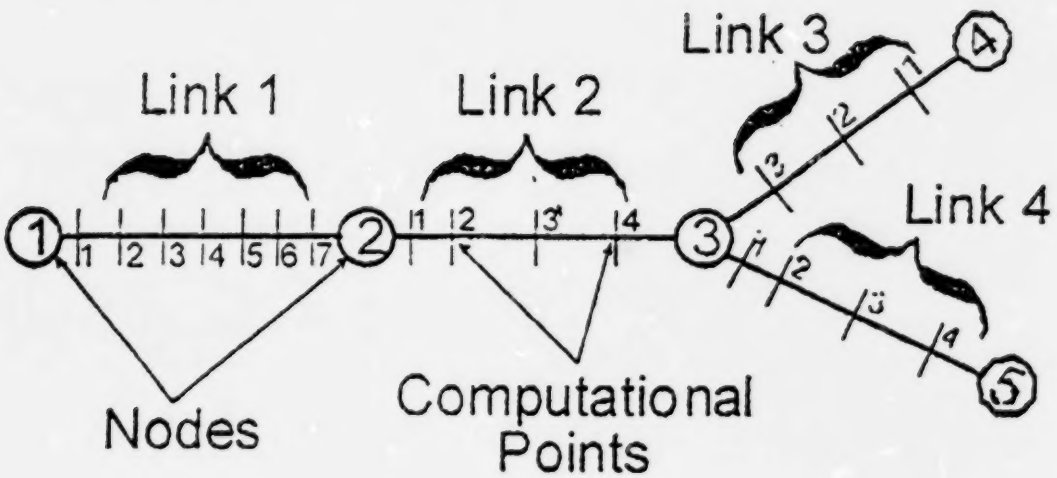
Schematic of Iraq River-Reservoir System and Gaging Stations



MASS1 1-D Transport Model

- Unsteady Flow in Rivers, Canals, and Reservoirs
- Tributary Inflows
- Variable Channel Shape
- Time-Varying Radionuclide Releases

Model Application



Hydrologic Data Requirements

- River Gauging Station (beginning with 1987)
- Reservoirs (beginning with 1987)
- Sediment Characteristics (all available)

Gauging Stations: Locations

Tigris River	Euphrates River
Mosul (9)	Hsaba (Syria / Iraq Border) (10)
D/S Dibbis Dam (3)	Hit (11)
Sammara Barrage (4)	Rammadi Barrage (12)
Adahim at Narrows (5)	Falluja Barrage (13)
Baghdad (6)	Hindiya Barrage (14)
Dyala Weir (7)	
Kut Barrage (8)	

Gauging Stations: Hydraulic Properties

- Location in latitude-longitude
- Daily Water Surface Elevation (m)
- Daily Discharge (m^3/s)
- Channel Cross-Sectional Bed Elevations (m)
- Station Rating Curve(s) (relation between water elevation and discharge)

Reservoirs: Locations

Tigris River	Euphrates River
Saddam	Qadisya
Dokan	Habbaniya
Tharthar	Razzaza
Derbendi Khan	
Hemren	
Huaiza	

Reservoirs: Hydraulic Properties

- Daily Outflow Discharge (m^3/s)
- Daily Pool Elevations (m)
- Minimum-Normal-Maximum Pool Elevations (m)
- Water Surface Elevation-Storage-Surface Area Relation
- Maximum Capacity for Spillway and Power House (m^3/s)
- Channel Bottom Elevation (m)

Sediment Data

- Sample Location in Latitude-Longitude
- Time/Date and River Discharge when Sampling
- Suspended Load (kg/s)
- Grain Size Distribution
- Organic Content

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GENERAL ASSEMBLY
Fifty-third session
Agenda items 45, 71, 79, 93, 101 and 102
THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY
GENERAL AND COMPLETE DISARMAMENT
COMPREHENSIVE NUCLEAR-TEST-BAN TREATY
SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION
CRIME PREVENTION AND CRIMINAL JUSTICE
INTERNATIONAL DRUG CONTROL

SECURITY COUNCIL
Fifty-third year

Letter dated 15 October 1998 from the Permanent Representatives of the Russian Federation, Tajikistan and Uzbekistan to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the Declaration on All-Round Cooperation among the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan, of 12 October 1998 (see annex).

We should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda items 45, 71, 79, 93, 101 and 102, and of the Security Council.

(Signed) S. LAVROV
Ambassador
Permanent Representative
of the Russian Federation
to the United Nations

(Signed) R. ALIMOV
Ambassador
Permanent Representative
of Tajikistan to the
United Nations

(Signed) A. VOHIDOV
Ambassador
Permanent Representative
of Uzbekistan to the
United Nations

Annex

Declaration on All-Round Cooperation among the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan

The Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan (hereinafter referred to as "the Parties"),

On the basis of their historical relations of strategic partnership and equal and mutually advantageous cooperation,

Considering the need to develop further and improve the effectiveness of their mutual trade and economic, scientific and technological, humanitarian and other ties, and ensure their long-term basis and stability,

Considering the safeguarding of peace, security and stability at the global and regional levels to be a necessary condition for the sustainable development of the Parties, and desiring to maintain an optimum level of security and defence capacity for their countries,

Reaffirming their commitment to the purposes and principles of the United Nations and the Commonwealth of Independent States, as well as the provisions of treaties and agreements governing relations among them,

Guided by the universally recognized norms and principles of international law,

Declare the following:

Article 1

The Parties shall broaden and deepen mutually advantageous cooperation in the fields of trade and economy, investment, credit and finance and science and technology, including the establishment of financial and industrial groups, joint enterprises and production associations in priority areas, and the establishment and development of industrial and scientific and technological cooperation, direct ties among economic agents under all forms of ownership, and also among regions of the Parties.

Article 2

The Parties shall actively promote the broadening of mutual ties in the fields of culture, education, science, the press and information, and health care, and encourage contacts among citizens and public associations of the Parties.

Article 3

The Parties shall promote a dialogue and cooperation in the field of security and defence on the basis of the principles of equality, partnership and mutual advantage, and improve cooperation in the military-technical field on the basis of separate agreements.

Article 4

The Parties shall develop cooperation, interacting with the United Nations, the Organization for Security and Cooperation in Europe, the Commonwealth of Independent States and with interested States in the interests of complete political stabilization in the Republic of Tajikistan on the basis of the General Agreement on the Establishment of Peace and National Accord of 27 June 1997, and the economic rehabilitation and development of the Republic of Tajikistan.

Article 5

The Parties shall increase interaction in the interest of safeguarding international peace, stability and security at the regional and global levels, providing each other with all-round support, particularly in the case of a threat to their sovereignty or territorial integrity.

The Parties shall promote the continuation of the disarmament process, the strengthening of the nuclear-weapon non-proliferation regime and the comprehensive nuclear-test-ban regime.

The Parties shall broaden cooperation with a view to improving the effectiveness and strengthening the role of the United Nations as the universal body for maintaining world peace and security.

Article 6

The Parties shall coordinate their efforts to counteract the spread of aggressive religious or other extremism, attempts from outside or within to alter the constitutional or social structure by forcible means or violate the territorial integrity of the Parties.

Article 7

Each Party shall refrain from supporting, or participating in, any action directed against the other Parties, and shall prevent their territory from being used for the preparation or implementation of such actions.

If a situation arises which, in the opinion of one of the Parties, poses a threat to its security, territorial integrity or sovereignty or a threat to peace and security in the region, the Parties shall hold consultations with each

other without delay, both on a trilateral basis and within the framework of international organizations, with a view to coordinating their positions and taking the necessary measures to eliminate such a threat.

Article 8

The Parties shall broaden cooperation to safeguard and defend their borders, counteract any encroachment on their borders from outside, taking when necessary the appropriate joint measures of a political and economic nature and in relation to defences.

If an act of aggression is committed against one of the Parties, the other Parties shall provide the necessary assistance, including military assistance, and shall render support with the means available to them on the basis of the right to collective self-defence in accordance with Article 51 of the Charter of the United Nations.

Article 9

The Parties shall ensure close cooperation among their law-enforcement and other competent agencies with a view to combating terrorism, transboundary organized crime, illicit trafficking in narcotic drugs and psychotropic substances and their precursors, nuclear materials, radioactive, explosive or toxic substances, weapons and ammunition, and contraband in objects of cultural or historical value and licensed materials.

Article 10

The Parties shall, when necessary, conclude appropriate international agreements, including agreements among interested departments of the Parties, hold joint consultations at various levels and establish joint working bodies in the interest of the fullest possible implementation of agreements concluded among them.

Article 11

The provisions of this Declaration are not directed against other States.

The Parties are prepared to engage in constructive interaction and cooperation with all interested States and international organizations with a view to implementing the provisions of this Declaration in the interests of peace, security and stability in the region and the whole world.

This Declaration was signed on 12 October 1998 in triplicate in the Russian, Tajik and Uzbek languages.

(Signed) B. N. YELTSIN	(Signed) E. Sh. RAKHMONOV	(Signed) I. A. KARIMOV
President of the Russian Federation	President of the Republic of Tajikistan	President of the Republic of Uzbekistan

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16 October 1998

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LETTER DATED 16 OCTOBER 1998 FROM THE PERMANENT REPRESENTATIVE OF POLAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to draw your attention to the text of decision No. 259 concerning the situation in Kosovo, adopted at the session of the Permanent Council of the Organization for Security and Cooperation in Europe on 15 October 1998 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Eugeniusz WYZNER
Ambassador
Permanent Representative

98-30868 (E) 161098

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Annex

Decision No. 259 adopted by the Permanent Council of the Organization for Security and Cooperation in Europe on 15 October 1998

The Permanent Council,

Acting within the framework of the United Nations Security Council resolution No. 1199,

Recalling the Permanent Council Decision No. 218, paragraph 1, and the statement of the Chairman-in-Office of 7 October 1998 confirming the OSCE's long-standing readiness to give its contribution to the peaceful solution of the crisis in Kosovo,

1. Declares the preparedness of the OSCE to embark upon verification activities related to compliance of all parties in Kosovo with the requirements set forth by the international community with regard to the solution of the crisis in Kosovo;

2. Supports the Chairman-in-Office's efforts to arrange with the FRY authorities for the OSCE to make such contribution;

3. Expresses its readiness to consider in an urgent manner any further specific steps necessary to meet the requirements for efficient verification in Kosovo.

UNITED NATIONS **S**

Security Council

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16 October 1998

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SECOND PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN SIERRA LEONE

I. INTRODUCTION

1. By paragraph 19 of its resolution 1181 (1998) of 13 July 1998, the Security Council requested me to submit an initial report within 30 days of the adoption of the resolution and every 60 days thereafter on the deployment of the United Nations Observer Mission in Sierra Leone (UNOMSIL) and its progress in carrying out its mandate, and also to inform the Council on plans for the later phases of the deployment of UNOMSIL when security conditions permit these to be implemented. The present report is submitted pursuant to that request and describes developments since my first progress report on UNOMSIL (S/1998/750), of 12 August 1998.

II. POLITICAL DEVELOPMENTS

2. The Government and Parliament of Sierra Leone have continued to take steps to extend their authority and to reform and strengthen national institutions, with a view to increasing efficiency and eliminating corruption and duplication, as well as enhancing security and stability.

3. On 2 September 1998, President Ahmad Tejan Kabbah outlined plans for the creation of a new national security system, based on the reconstitution of national armed forces, the reform of the police force and the integration of the Civil Defence Forces (CDF). Under this policy, the new armed forces would comprise a total of 5,000 troops under effective civilian management and constitutional control.

4. Another prominent issue is the handling of the trial of the leader of the Revolutionary United Front (RUF), Corporal Foday Sankoh. After Corporal Sankoh had been brought back from Nigeria and placed in Government custody, RUF announced on 17 August 1998 a terror campaign against civilians, CDF and the Economic Community of West African States Monitoring Group (ECOMOG) if the Government failed to release Corporal Sankoh within seven days, suggesting that peace negotiations could resume only thereafter. However, the Government has made it clear that Corporal Sankoh will stand trial and that there will be no resumption of negotiations or peace talks in view of the failure of RUF and the

junta in the past to comply with the provisions of the Abidjan and Conakry peace agreements.

5. Vice-President Albert Joe Demby and the Deputy Minister for Defence and CDF Coordinator, Chief Hinga Norman, have temporarily relocated their offices to Kenema in the eastern province in order to organize and direct the large-scale mobilization of the Civil Defence Forces for the operations aimed at clearing the remaining rebel-controlled areas. The Vice-President has reaffirmed the Government's determination to pursue the military option against the elements of the former junta. His statement has been reinforced by a call from Chief Norman to all CDF members to report for combat duty.

Relations between Sierra Leone and Liberia

6. In my report of 12 August, I mentioned the improvements that had occurred in the relations between Sierra Leone and Liberia. Since then, relations between the two countries, after a period of improvement following the meeting of President Kabbah and President Taylor in Abuja in July, have recently experienced complications arising in part from the continuing armed conflict in the east of Sierra Leone.

7. On 13 October 1998, President Kabbah informed me of alleged preparations by Liberia for the dispatch of fighters for an incursion into Sierra Leone. The allegations were vigorously denied by President Taylor. United Nations military observers also detected no evidence of an armed incursion from Liberia. On 16 October the two Presidents were reported to have spoken by telephone, and to have described the matter as "a misunderstanding that has been clarified". The two leaders were reported to have agreed to be in regular telephone contact in order to work towards strengthening relations. I welcome this constructive approach.

Follow-up to the Special Conference on Sierra Leone

8. Following the Special Conference on Sierra Leone held at United Nations Headquarters on 30 July 1998, the Government of Sierra Leone has established a 10-member working group charged with following up on the commitments and pledges made at the Special Conference. The Working Group met for the first time on 28 August 1998 and discussed possible steps for approaching donor countries and funding agencies that had agreed to support the reconstruction of Sierra Leone. As called for by the Special Conference, the Government of the United Kingdom of Great Britain and Northern Ireland has taken the initiative of convening an international contact group on Sierra Leone in London early in November. The Working Group will meet again beforehand, probably in late October, to assess the progress made.

III. MILITARY AND SECURITY SITUATION

Rebel activities

9. Since my last report, the security situation in Sierra Leone has experienced considerable fluctuations. A relatively quiet phase in July was

followed by some volatility in late August and September, marked by a considerable increase in rebel attacks. These were accompanied by a resurgence of atrocities of the nature and scale last observed during the period from April to June, including the complete destruction of villages, and the torture, mutilation and execution of large numbers of civilians. These disturbing developments are reflected in more detail below.

10. The rebel build-up has been most significant in the north and brought the area of rebel activity closer to the centre of the country. Activity around the Koinadugu area has also intensified, as well as around Kambia and Kabala. The current concentration of rebels in the north-west indicates that they may be preparing for a major strike against Makeni or Port Loko. Such operations would sever ECOMOG's main supply route between Guinea, Freetown and Makeni and provide the rebels with a foothold close to the capital city. On 8 October, the rebels attacked Mange, between Port Loko and Kambia on the road between Lungi and the Guinean border, but were driven off. The situation in Freetown itself has remained safe and stable, and the whole of the southern province has remained free of rebel activity.

Civil Defence Forces/ECOMOG offensive into Kailahun district

11. On 1 October 1998 the Civil Defence Forces, with strong ECOMOG support, launched an offensive to capture one of the rebels' main strongholds in Kailahun district and thus disrupt their operations elsewhere in the country. The effects of the offensive are starting to be reflected in a reduction of the intensity of rebel activities in the north. Reports of the dispersal of the rebel stronghold at Koinadugu have also been received. Continued logistics support to ECOMOG is needed from the international community in order to ensure the effectiveness of those operations.

12. Several countries in the region have already pledged to contribute some of the additional 6,000 ECOMOG troops required to assist ECOMOG troops already in the country, whose number has been estimated at 10,000 to 12,000. The Governments of Côte d'Ivoire, the Gambia, Guinea, Mali and the Niger have indicated their readiness to provide contingents, stating that they could be deployed if the international community is prepared to bear the costs of transporting them to Sierra Leone. My Special Representative, Mr. Francis G. Okelo, has initiated discussions on this matter, and the Chief Military Observer of UNOMSIL has been meeting with contingent commanders from the countries involved concerning their deployment and related expenses for in-country maintenance and other needs.

Deployment of the Mission

13. At the end of August 1998, UNOMSIL completed the first phase of the deployment of its military component, consisting of 40 military observers, the Chief Military Observer and a medical team of 15 personnel. In addition to mission headquarters in Freetown, UNOMSIL has deployed military observers to five team sites, namely, the three provincial capitals Bo, Kenema and Makeni, the main demobilization site at Lungi, and Hastings airport (see map). The observers have been well received by the communities and have established good relations with the local authorities as well as with ECOMOG and CDF personnel.

Though there have been occasional restrictions on their movement for security reasons, the observers have not so far experienced any disruption in their operations or threats to their personal safety.

14. Over and above their tasks of closely monitoring developments in the military situation, the military observers play an important role in the monitoring of international humanitarian law and promote humanitarian assistance through the investigation of incidents. They also provide security advice to humanitarian personnel and liaise between them and ECOMOG, CDF and the local authorities. They have been frequently called upon to intervene with ECOMOG and CDF on behalf of other United Nations agencies and non-governmental organizations.

15. Pursuant to paragraph 9 of resolution 1181 (1998), I wrote on 3 August 1998 to General Abdulsalami A. Abubakar, Head of State of Nigeria, to propose that, in conformity with the disarmament and demobilization programme adopted by the Government of Sierra Leone, ECOMOG forces assume responsibility for the security of United Nations personnel in Sierra Leone. On 28 September 1998 General Abubakar replied, stating that ECOWAS was perfectly amenable to the proposals set out in my letter, which therefore constituted the terms of an agreement between our two organizations. General Abubakar confirmed in his letter that the ECOMOG mandate in Sierra Leone included the protection of all United Nations personnel and all staff of humanitarian and aid agencies.

IV. DISARMAMENT, DEMOBILIZATION AND REINTEGRATION

16. As described in my report of 12 August, the disarmament, demobilization and reintegration programme targets an estimated total of 33,000 ex-combatants, most of whom are members of the Civil Defence Forces, and is scheduled to be completed in three phases by June 2001. The first phase covers the demobilization of former Republic of Sierra Leone Military Forces (RSLMF) and RUF personnel who were captured and disarmed by ECOMOG and later encamped at Lungi. Their screening and registration commenced on 2 September. UNOMSIL deployed additional military observers to the Lungi team site to assist in several aspects of the registration, including the initial assessment of the candidates. While these activities go beyond the monitoring role of UNOMSIL, the additional effort was required to ascertain the identity and eligibility of the ex-combatants since UNOMSIL was not present during the initial disarmament by ECOMOG. The exercise was completed on 25 September with a total of 2,145 persons screened and registered. The full demobilization of those ex-combatants is scheduled to be completed in December 1998.

17. While the registration and screening process was implemented fairly smoothly, the pace of the programme lags behind the original goals since it is now being implemented against the background of a continued war effort. Since most of the ex-RSLMF soldiers, amounting to four battalions, who had been encamped at Lungi have been reinducted by ECOMOG, the number of individuals to be demobilized during the first phase of the programme has been considerably reduced. It is expected, however, that these soldiers, who are currently fighting alongside ECOMOG, will eventually undergo the disarmament, demobilization and reintegration process. In addition, though 5,000 members of

the Civil Defence Forces were expected to be demobilized during the first phase, there is no indication to date that any CDF units have started the process, although in some areas registration exercises have been initiated.

18. As I mentioned in my last report, there is still concern about the hostile attitude of the general public towards former RSLMF personnel, which could potentially derail the reintegration process. Given the continued volatility of the overall security situation, it is important to ensure that former soldiers are not cast out of society because they may, as a group, turn into a destabilizing factor in the long run. A sensitization campaign under the auspices of the Ministry of Information, Communications, Tourism and Culture is now under way to increase public acceptance of ex-combatants. Successful reintegration will also depend on the benefits extended to those communities to which ex-combatants return in order to avoid the perception of a preferential treatment for the former soldiers.

19. A major challenge also remains concerning the start of the pre-discharge orientation programme which is to follow the screening and registration process. An initial programme of pre-discharge activities will be established at Lungi by the Executive Secretariat of the National Committee on Disarmament, Demobilization and Reintegration. These will include workshops for community sensitization, attitudinal education for ex-combatants, and general information on reinsertion and reintegration.

20. Regarding the future of the disarmament, demobilization and reintegration process, the Executive Secretariat of the National Committee has already indicated its intention to open a disarmament and demobilization centre in the interior in preparation for the next phase of the programme. A team composed of National Committee staff, UNOMSIL and the United Nations Children's Fund (UNICEF), in collaboration with ECOMOG, is currently undertaking reconnaissance visits to identify suitable sites for the exercise.

V. HUMAN RIGHTS

Human rights abuses

21. Since my last report there has been a resurgence of human rights abuses committed by the rebel forces. During the month of September, UNOMSIL received an escalating number of reports of mutilations, amputations, summary executions, abductions and house burnings. For instance, in just a single week, 20 villages were attacked and destroyed in four small chiefdoms in the north-west of the country. The attacks were preceded by the destruction of the principal local population centre, Kamalu, on 6 September. Forty people, including children, died in that attack. Photographic evidence suggests that a number of the dead had first been subjected to forms of extreme torture and sexual abuse; others appear to have been burned alive. It is reported that no less than 50 people were abducted. The rising incidence of mutilations and amputations is also illustrated by the admission to hospital of 14 amputees following just one attack on Kokuna on 27 September. From a number of locations UNOMSIL has received reliable reports of other forms of atrocities, including the detention

of elderly or incapacitated men in huts which were then set on fire and the carving of slogans, such as "AFRC", into the flesh of victims.

22. It remains difficult to estimate the exact number of rebel attacks and the casualties inflicted, not least because of the inaccessibility of many of the targeted locations and the high number of victims who never reach medical assistance. There is also very little reliable information regarding the plight of the captives of the rebels and of villagers living in areas under their control. However, interviews with former captives and escapees from those regions report such abuses as multiple rape of women, summary executions and slave labour. In the coming months, the four members of the UNOMSIL human rights unit, in cooperation with the military observers deployed in the provinces, will try in a systematic manner to compile and assess information regarding the human rights situation within the areas under rebel control.

23. There is also continued concern about the ongoing armed deployment of under-age boys and, in some locations, their continued initiation into the Civil Defence Forces. The renewed attention drawn to these matters by the Executive Director of UNICEF, Ms. Carol Bellamy, during a visit to Sierra Leone on 1 and 2 October, has greatly assisted efforts to end the recruitment and deployment of child soldiers by CDF units.

24. The discipline of many CDF units has improved significantly. Nevertheless, there are reports of interference by some CDF elements with the delivery of humanitarian supplies and acts of harassment against the civilian population. Reports of the prevalence of child prostitution in some heavily militarized areas of the countryside have, moreover, been substantiated. Together with UNICEF, the UNOMSIL human rights unit is seeking to assist the Government and ECOMOG in addressing this problem. Some reports have also suggested that certain ECOMOG personnel do not consistently ensure full respect for provisions of international humanitarian law, such as those regarding the protection of non-combatants in combat situations and the proper treatment of combatants during surrender or capture. UNOMSIL is encouraging the ECOMOG leadership to raise awareness among all troops to ensure full respect for all relevant aspects of international humanitarian law. The mission's human rights unit stands ready to assist ECOMOG with technical advice if needed.

Treason trials

25. The State is currently prosecuting, for treason and related charges, some 40 people in two civilian trials. A court martial was concluded on 12 October, and further trials are scheduled to commence in the coming weeks. A separate civilian trial of RUF leader Foday Sankoh commenced on 24 September 1998. Given the highly-charged atmosphere surrounding the trial, the Attorney-General has requested the assistance of the UNOMSIL human rights adviser on several occasions to ensure that Corporal Sankoh's rights are respected. However, the Government's failure so far to persuade a Sierra Leonean lawyer to represent Corporal Sankoh is a cause for concern. All the accused face the possible imposition of the death penalty. Already, 16 civilians and 34 of the defendants in the court martial have been sentenced to death. Under Sierra Leonean law, only the civilians have the right to appeal their sentences to the Sierra Leone Court of Appeal and, ultimately, to the Supreme Court. If the sentences are

upheld throughout the appeals process, there is still the possibility of a pardon should the Head of State decide to exercise the prerogative of mercy under national law. A further avenue of consideration of the sentences is available by virtue of Sierra Leone's ratification of the First Optional Protocol to the International Covenant on Civil and Political Rights, whereby individuals may petition the United Nations Human Rights Committee.

26. So far, UNOMSIL and observers from the International Bar Association have found that the civilian group trials are being conducted in a manner which appears to comply with international procedural standards. It is also apparent that the Government is largely committed to conducting transparent and fair trials. It remains a matter of concern that those tried by court martial are deprived of their right to judicial review of the judgements and sentences. UNOMSIL is also concerned as to whether the manner in which a number of defendants were repatriated to Sierra Leone from neighbouring countries was in accordance with applicable international standards. The concerns of UNOMSIL continue to be conveyed to the Government in a timely and forthright manner. On 15 October 1998 the United Nations High Commissioner for Human Rights wrote to President Kabbah, asking him to intervene in the process to show mercy.

Training initiatives

27. The UNOMSIL human rights unit also plays an important role in improving coordination and exchange among the different public and private institutions involved in human rights work in Sierra Leone. Moreover, special attention is given to the provision of technical assistance to help the Government meet its reporting obligations under the international human rights treaties, commencing with those arising under the Convention on the Rights of the Child. UNOMSIL also seeks to facilitate national efforts to re-establish a functioning judicial system in provincial areas.

28. In line with the institution-building aspects of the UNOMSIL human rights mandate, the Mission has started several training initiatives in close collaboration with the Government and with national and international human rights non-governmental organizations and the National Commission for Democracy and Human Rights. In September, UNOMSIL has successfully undertaken the training of the National Commission's human rights monitoring committees, and it has facilitated the first inter-non-governmental organization human rights training workshop. The Mission's human rights unit is also facilitating preparations for a major human rights monitoring and training programme to be implemented in November and provides a human rights module as part of the ongoing programme of retraining the police force.

29. These activities aim to strengthen local capacity to monitor, report on and promote human rights in the country, by both Government representatives and members of civil society. It is particularly important that training initiatives should be continued and consolidated.

VI. CIVILIAN POLICE

30. In accordance with resolution 1181 (1998), UNOMSIL has to date deployed a total of three civilian police advisers, and two additional officers are under recruitment. In carrying out their mandate, the civilian police advisers work closely with the UNOMSIL human rights unit and the Commonwealth Police Development Task Force for Sierra Leone, which is advising and assisting the Government in police training.

31. In order to assess the current situation, the UNOMSIL advisers have undertaken visits to different police regional headquarters, divisional headquarters, departments, courts, police stations and posts, assisted in determining work methods, logistical and training needs, and identified a number of problem areas. In addition, they met with President Kabbah, the Chief Justice, various Members of Parliament, ambassadors, the commanders of ECOMOG and the Civil Defence Forces and various non-governmental organizations to discuss their activities in assisting the Sierra Leone police force. UNOMSIL has distributed to all concerned a report containing preliminary findings and recommendations.

32. The reform of the police force in Sierra Leone poses great challenges. As a result of the wanton destruction caused by the rebel war, many police stations in the country have been severely damaged or destroyed, and equipment vandalized. Parts of the country are without police presence, since many officers were killed or abandoned their posts during and after the conflict. Moreover, little or no training has been available for years, which has affected not only the skill level and capacity for policing but also the quality of leadership and strategic planning. Notwithstanding the rapid expansion of the force over the last few years, the police suffer from inadequate logistical support, lack of equipment, unattractive salaries and poor conditions of service. No vehicles or other means of transport are available to ensure the effective mobilization of officers to prevent and investigate crimes. This situation is exacerbated by the breakdown of the general law enforcement system. Outside Freetown, the courts are hardly operational except for the magistrates courts in Bo, Kenema and Makeni, and detention facilities are in poor condition.

33. The Government has outlined the principles and priorities which will guide the reform process, including specific steps based on the recommendations made by the UNOMSIL civilian police advisers and the Commonwealth Task Force. Moreover, a police mission statement has been announced, emphasizing the need to balance respect for human rights with law enforcement and to take account of local concerns through community consultation by the police force. Implementation of the reform process began in August, and a three-year draft plan, for the period 1999-2001, is currently under discussion. Strong emphasis is being placed on the development of police training initiatives, some of which are already being implemented.

34. While the progress made to date is impressive, resource constraints present serious obstacles to the effective and fast implementation of the reform. The Governments of Germany and the United Kingdom have already provided funds and equipment in support of these efforts, but further donor assistance will be required.

VII. HUMANITARIAN SITUATION

Humanitarian crisis

35. A humanitarian crisis of serious proportions is developing in isolated areas of Sierra Leone, particularly the north-east. Since the incursion of former junta elements into Kabala at the end of July 1998, humanitarian agencies have been unable to assess needs there because of unpredictable security. The countryside between Kabala and Koidu, up to the border with Guinea, is also out of reach owing to insecurity and inadequate roads and airstrips. Similar conditions apply, inter alia, to the area east of Kambia in the north-west and in the Kailahun district.

36. Continuing insecurity has resulted in increased displacement of populations. During the reporting period, some 14,000 Sierra Leoneans were displaced from south Kenema district into Kenema Town. At the same time, the number of needy beneficiaries in Masingbi has swollen from 16,000 to more than 35,000. The United Nations Humanitarian Coordination Unit/Office for the Coordination of Humanitarian Affairs estimates that up to 250,000 persons have been displaced in the fighting that followed the ECOMOG intervention in February 1998, an increase of about 70,000 persons since my last report. It is feared that a considerable number of internally displaced persons remain unrecorded.

37. The number of Sierra Leonean refugees in Guinea is now 357,000, of which an estimated 217,700 have arrived since February 1998. Most of these fled to the Guéckédou area, but some 7,700 have recently arrived in Forécariah following a rebel attack on 28 September at Kukuna near the border with Guinea. There are also 90,000 Sierra Leonean refugees in Liberia, including 40,000 new arrivals. Another 10,000 Sierra Leoneans have taken refuge in other countries in the region, mainly in Côte d'Ivoire, the Gambia and Senegal, for a total of 457,000 Sierra Leonean refugees in the subregion. So as to determine more accurately the number of refugees in Liberia, the Office of the United Nations High Commissioner for Refugees (UNHCR) will carry out a registration exercise in November 1998.

38. In response to the newly emerging internally displaced person situation in both the eastern and northern parts of the country, UNICEF, in collaboration with non-governmental organizations, is providing high-energy biscuits to counter malnutrition and providing support to malnourished children referred to therapeutic feeding centres and supplementary feeding programmes.

Activities of United Nations organizations and non-governmental organizations

39. The World Food Programme (WFP) continues to provide humanitarian food assistance to vulnerable groups, farmers and institutions in accessible areas of the country. During August and September, WFP distributed over 4,641 tons of assorted food commodities, of which over 76 per cent benefited community farmers in their efforts to grow more food and become self-sufficient. Over 22 per cent of the quantity distributed during the reporting period went to support vulnerable groups escaping from the war as well as therapeutic and supplementary feeding programmes. WFP targeted an estimated 62,000 vulnerable persons, over

70,000 farmers, 12,600 nutritionally vulnerable persons and 6,823 refugees in food-for-work and training programmes in August and September 1998.

40. However, food assistance has encountered some constraints in supplies because of unacceptably high levels of losses from recent shipments, practicall all in the port area. A meeting with the port authorities and security officer has led to proposals for improvements, and the situation is being monitored closely.

41. The intervention of the World Health Organization (WHO) proved crucial in the confirmation of vibrio cholera 0.1 as the causative agent responsible for the unusual increase in incidences of acute watery diarrhoea syndrome, which ha caused a number of deaths. A total of 1,170 cases and 55 deaths were recorded from 19 July to 20 September 1998. The epidemic now appears to be on the decline, with the support of UNICEF and WHO, which have provided medical supplies to combat the outbreak. UNICEF is also coordinating cholera preventio through regular chlorination of wells and protection of water sources.

42. The maternal mortality rate is at a world record high of 1,800 per 100,000 live births and remains a primary concern. UNICEF is targeting 1.5 million children and women by revitalizing more peripheral health units to respond to the increasing demand for services.

43. Following an appeal by the Government of Sierra Leone for UNHCR to assist in the repatriation of refugees from neighbouring countries, a UNHCR delegation visited Sierra Leone from 25 to 27 September. As a result, UNHCR is in the process of opening a new office in Kenema. Additional offices will be reopened in Bo, Segbwema and Zimmi once security permits. Moreover, UNHCR has started t facilitate the return of Sierra Leonean refugees. So far, a total of 11,000 refugees have been repatriated to Freetown where, at the request of the Government, priority has been given to the return of skilled professionals, civil servants and students, who could contribute to the ongoing reconstruction efforts. Finally, it should be noted that in August 10,000 refugees returned spontaneously from Liberia to Zimmi and Kenema and, in late September, accordin to reports yet to be confirmed, some 20,000 refugees returned from Liberia to Zimmi.

44. The World Health Organization commissioned a consultant in August to asses the magnitude of the problem of increased numbers of victims of amputation and has proposed rehabilitative measures to the Government.

45. To help better plan for relief and longer-term development intervention, the United Nations Population Fund (UNFPA) has begun discussions with the objective of helping the Government to undertake a national demographic and health survey.

VIII. SOCIO-ECONOMIC ASPECTS

46. While a humanitarian emergency still prevails in the north and east of Sierra Leone, the southern and western parts have experienced a certain amount of stability and security. However, they must cope with the continuing influx

of displaced populations and the challenges of reconstruction after the trauma and devastation brought on by the junta. The United Nations development system, under the leadership of the United Nations Development Programme (UNDP), is therefore supporting peace-building efforts within the context of preventive development.

47. To this end, UNDP funds three large-scale programmes, including a programme for support to resettlement, reconstruction and rehabilitation through a preventive development approach. This $4 million programme links emergency humanitarian assistance wit'i the resumption of productive activities for longer-term development. Beneficiaries of the programme include internally displaced persons, returnee refugees, ex-combatants and host communities. UNDP is also funding a $2.5 million programme aimed at raising public awareness of issues of national reconciliation and peaceful coexistence.

IX. FURTHER ACTION TO BE TAKEN BY THE UNITED NATIONS

48. In my fifth report on the situation in Sierra Leone, of 9 June 1998 (S/1998/486, para. 69), I stated that additional deployments of United Nations military observers beyond the first phase would depend on the security situation within the country and the progress made by the Government in carrying out its disarmament and demobilization plan.

49. The security situation in Sierra Leone has not improved significantly since my last report and, in some parts of the country, may have deteriorated. In the ast two months the northern province has seen a resurgence of rebel activity, ıncluding atrocities, with no sign of weakening in rebel resolve, numbers or organization.

50. Largely for this reason, the progress made by the Government in carrying out its disarmament, demobilization and reintegration programme has been less than was hoped for. The intensification of fighting caused by the launching of the CDF/ECOMOG offensive and the consequent large-scale mobilization of both CDF and re-inducted RSLMF personnel do not at present provide the best conditions for the rapid progress of disarmament and demobilization.

51. On the other hand, should the CDF/ECOMOG offensive lead to large-scale surrenders among the former junta elements and their participation in the disarmament and demobilization programme, it may be necessary to deploy United Nations observers very rapidly.

52. I am therefore keeping the situation under careful review, and intend to deploy additional observers only after taking full account of the security situation. I am, however, prepared to deploy observers rapidly if the situation so permits.

53. Against the background of the continuing military conflict and its effects on security, the need for the Government to improve the functioning of the Sierra Leonean police force has become all the more acute. In view of the success already achieved in implementing its current mandate, I recommend that my Special Representative, assisted by the Mission's civilian police component,

now proceed to seek donor funding for the reform and restructuring of the Sierra Leonean police force, while continuing to work closely with the Government in carrying out the three-year strategic plan referred to in paragraph 33 above.

X. OBSERVATIONS AND CONCLUSIONS

54. The continuing conflict in Sierra Leone imposes immense suffering on the people of that country. I strongly condemn the summary executions, torture, mutilations, rapes, looting and other acts of barbarism carried out by former junta elements and call on them to lay down their arms and surrender. I am particularly outraged by the senseless acts of terror perpetrated against children, such as the amputation of limbs of boys and girls as young as six years of age, and support the efforts to bring to justice the authors of these especially abhorrent crimes.

55. The human rights abuses committed by the rebels also give rise to the humanitarian emergency in Sierra Leone, as they continue to cause the widespread dislocation of local populations. Though United Nations humanitarian personnel and non-governmental organizations have done much to aid the victims of attacks and displacement, more needs to be done as a matter of urgency, especially in regard to the provision of medical and surgical capacity, specific services for amputees and psychosocial treatment for the trauma suffered by the victims and their families. To this end, I reiterate my call to donors to contribute to the Inter-Agency Consolidated Appeal for Humanitarian Assistance to Sierra Leone in order to meet the basic needs of the people.

56. The continuing commitment of ECOMOG has been essential in assisting the Government of Sierra Leone to restore peace and security throughout the country, and the efforts being made to deploy additional troops from ECOWAS countries are welcome. In view of the importance of the present offensive into the east and the wresting of the initiative from the rebels, I appeal to the members of the Security Council and the international community to extend all possible technical and logistical support to achieving the successful conclusion of the conflict in Sierra Leone.

57. At the same time, I am encouraged by the focus of the Government on strengthening democratic control over the reconstituted armed forces. Equally commendable is the thoroughness applied to the restructuring of the police force and its reform in line with the standards of democratic societies. In this context, I should like to express my appreciation to the Governments of Germany and the United Kingdom for the support they have lent to the Government's efforts.

58. The long-term stability of the country will also depend vitally on the successful implementation of the disarmament, demobilization and reintegration programme adopted by the Government. I therefore reiterate the plea I made on 30 July at the Special Conference on Sierra Leone for the donor community to lend every possible assistance to the Government in carrying out its plan. I look forward to working closely with donors to ensure that the commitments made in this and other respects at the Special Conference will be honoured. I wish to commend the United Kingdom for the important role it has played by providing

equipment and logistical support for the screening and registration exercise, and by continuing to provide food and emergency medical assistance to the ex-combatants as well as water to the larger community at Lungi.

59. The Government of Sierra Leone has made commendable efforts to ensure that the procedural aspects of the civilian group trials are in conformity with international human rights standards. However, I must express my concern that those sentenced to death in the recently concluded court martial have no right of legal appeal under Sierra Leonean law. Accordingly, in the light of the human rights issues which arise, I urge the Government, at a minimum, to consider a stay of execution of sentences pending review of the proceedings before relevant international monitoring bodies. I also encourage the Government to continue to take all reasonable steps to ensure that persons facing serious criminal charges are legally represented.

60. I should like to express my appreciation for the generous manner in which the International Bar Association has provided expert trial observers who have worked closely with UNOMSIL. I also encourage the international community to support human rights training programmes, to be carried out in close consultation with the Office of the United Nations High Commissioner for Human Rights, for the benefit of those involved in law enforcement, as well as members of the legal profession and the judiciary.

61. The latest developments in the situation between Sierra Leone and Liberia are a cause for deep concern. I urge the Governments of Sierra Leone and Liberia to continue to exercise maximum restraint, pursue dialogue and implement the confidence-building measures aimed at improving relations between the two countries which they agreed upon in July 1998. In doing so, the two Governments would continue to show their commitment to subregional peace and security and their adherence to the Non-aggression Pact and Good Neighbourliness Treaty contained in the Mano River Union Declaration of 1973. In this context, should both parties agree, the deployment of ECOMOG troops at the border, subsequently accompanied by United Nations military observers, could help to stabilize the situation and restore mutual confidence.

62. Finally, I wish to thank all Member States which have contributed military observers for deployment with UNOMSIL for the speed with which the officers were dispatched. I hope that, under the right conditions and the necessary improvements in security, the second phase of deployment can be implemented with equal success.

63. Pursuant to resolution 1181 (1998), I will continue to keep the situation in Sierra Leone under close review and report to the Council on developments on the ground as well as the continued work of UNOMSIL. In particular, I will examine with great care any realistic proposal to end the armed conflict with minimal further loss of life to combatants and to innocent civilians, and to promote lasting peace and national reconciliation in Sierra Leone.

64. I would like to express my appreciation to my Special Representative, Mr. Francis G. Okelo, to the Chief Military Observer, Brigadier Subhash C. Joshi, and to the military and civilian personnel of UNOMSIL for their work in accordance with the mandate provided by the Security Council.

Annex

United Nations Observer Mission in Sierra Leone: contributions as at 1 September 1998

	Military observers	Others[a]	Total
China	3		3
Egypt	2		2
India	6	15	21
Kenya	4		4
Kyrgyzstan	1		1
New Zealand	2		2
Pakistan	5		5
Russian Federation	7		7
United Kingdom of Great Britain and Northern Ireland	7		7
Zambia	4		4
Total	41[b]	15	56

[a] Medical team.

[b] Including Chief Military Observer.

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Security Council

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ORIGINAL: ENGLISH

LETTER DATED 16 OCTOBER 1998 FROM THE CHARGÉ D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith a copy of my letter on the situation in the Prevlaka peninsula that I addressed to the Secretary-General on 13 October 1998.

I would be grateful if you would have the present letter and its annex distributed as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

98-30887 (E) 161098

/...

Annex

Letter dated 13 October 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

Considering your obligation from paragraph 5 of Security Council resolution 1183 (1998) to report to the Security Council on the situation in the Prevlaka peninsula and, in particular, on the progress achieved in the peaceful resolution of the disputed issue, I have the honour to inform you of the following:

In article 2 of the Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia, signed in Belgrade on 23 August 1996, the two sides committed themselves to carrying out a delimitation and arranging their borders by agreement. In article 4 of the same Agreement, the two sides agreed to resolve the disputed issue of Prevlaka by negotiations. At the meeting of Zivadin Jovanovic, Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia, and Mate Granic, Minister of Foreign Affairs of the Republic of Croatia, on 18 August 1998, it was agreed that the two sides should proceed to the realization of the said commitments.

The delegations of the Governments of the two sides, entrusted with the task of implementing the commitments they had made in the said Agreement relating to the delimitation and the resolution of the territorial dispute over Prevlaka, have held two rounds of negotiations. The first meeting was held in Zagreb on 15 September 1998 and the second in Belgrade on 9 October 1998. The third meeting is scheduled to take place in Zagreb. It was also agreed that the two sides should prepare and exchange their starting positions for the realization of the obligations relating to the common State border and the resolution of the disputed issue of Prevlaka. The two sides agreed on the rules of negotiation and the method of presenting their starting positions.

The beginning of negotiations represents an important step forward in the resolution of this exceptionally complex issue in the spirit of the Charter of the United Nations, good-neighbourliness and respect for mutual interests, and renders a positive contribution to the development of relations between the Federal Republic of Yugoslavia and the Republic of Croatia. With its constructive approach, the Government of the Federal Republic of Yugoslavia has fully complied with the provisions of Security Council resolution 1183 (1998) of 15 July 1998.

Considering your obligation to report to the Security Council on the situation in the Prevlaka peninsula, I take the opportunity to inform you of an incident that took place on 10 September 1998 at 6.05 p.m., before the first round of negotiations. A patrol boat of the police of the Republic of Croatia intercepted a Yugoslav fishing boat in the waters of Boka Kotorska Bay at the rim of the blue zone. On that occasion, the Croatian police made an attempt to arrest Yugoslav fishermen, using firearms. By this act the Republic of Croatia violated the territorial sovereignty and integrity of the Federal Republic of Yugoslavia, as well as the demilitarization regime of the blue zone. Bearing

that in mind, as well as the incidents of which my Government informed you in the past, I would appreciate it if you would kindly advise the Security Council of these events. I consider it exceptionally important that both sides restrain themselves from acts that can lead to the deterioration of the existing dispute. Also, it would be very useful if, in your report, you drew the attention of the two sides to their obligations and if the Security Council reconfirmed it on an appropriate occasion.

I assure you that my Government will continue the negotiations in a constructive way in order to achieve a peaceful solution of the disputed issue of Prevlaka by negotiation.

I would be grateful if you would have the present letter included as an annex to your report to the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

UNITED NATIONS **S**

Security Council

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16 October 1998

ORIGINAL: ENGLISH

LETTER DATED 16 OCTOBER 1998 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith the text of the agreement on the Kosovo Verification Mission of the Organization for Security and Cooperation in Europe, reached between the Federal Republic of Yugoslavia and the Organization for Security and Cooperation in Europe and signed at Belgrade on 16 October 1998.

I would be grateful if you would have this letter and its enclosure distributed as a document of the Security Council (see annex).

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

Annex

Agreement on the Kosovo Verification Mission of the Organization for Security and Cooperation in Europe

- Devoted to the respect of the principles of the UN Charter and to the Principles of the Helsinki Final Act on peace, stability and cooperation in Europe, as well as to the Paris Charter,
- Considering in particular the importance of reaching a peaceful, democratic and lasting solution of all existing problems in the Province of Kosovo and Metohija, based on the equality of all citizens and national and ethnic communities,
- Devoted to the respect of the sovereignty and territorial integrity of all states in the region,
- Agreeing to comply with and willing to contribute to the FRY implementation of Resolutions 1160 and 1199 of the UN Security Council,
- The Federal Government of the FR of Yugoslavia, on one side,
- and, The OSCE, on the other,
- have reached the following

AGREEMENT

I *Establishment and Termination*

1. The OSCE Kosovo Verification Mission will be established by the OSCE Permanent Council pursuant to a resolution of the United Nations Security Council calling upon OSCE to establish the Mission.
2. The FRY government has informed the OSCE Chairman-in-Office of its endorsement of the establishment of the Mission.
3. OSCE will request member states to contribute personnel and funding for the Verification Mission in accordance with established procedures.
4. OSCE will establish coordination with other organizations it may deem appropriate to allow the Verification Mission to accomplish all its objectives most effectively.

5. KDOM will act in place of the OSCE Verification Mission pending its establishment. Once OSCE is operational, KDOM will be absorbed by the Verification Mission.

6. The FRY government hereby guarantees the safety and security of the Verification Mission and all its members.

7. In the event of an emergency situation in Kosovo which in the judgment of the Mission Director threatens the safety of members of the Verification Mission, the FRY shall permit and cooperate in the evacuation of Verification Mission members.

8. The FRY government will accept the OSCE Verification Mission as a diplomatic entity in terms of the Vienna Convention on Diplomatic Relations. The Mission will enjoy the privileges and immunities conferred by such status, as will its members, in accordance with the Vienna Convention.

9. The FRY government and its entities will designate formal liaison officers to work with the Verification Mission in Belgrade, Pristina and field locations. The FRY, Serbian and Kosovo authorities will undertake to provide full cooperation and support to the Verification Mission. This will include, but not be limited to, billets, frequency or frequencies, visas and documentation, customs facilities, vehicle registration, fuel, medical support, airspace access for support aircraft and access to Belgrade, Pristina and other airports in accordance with normal procedures.

10. The OSCE and the FRY agree on a Verification Mission for one year, with extensions upon the request of either the OSCE Chairman-in-Office or the FRY government.

II *General Responsibilities, Roles and Missions*

1. To verify compliance by all parties in Kosovo with UN Security Council Resolution 1199, and report instances of progress and/or non-compliance to the OSCE Permanent Council, the United Nations Security Council and other organizations. These reports will also be provided to the authorities of the FRY.

2. To establish permanent presences at as many locations throughout Kosovo as it deems necessary to fulfil its responsibilities;

3. To maintain close liaison with FRY, Serbian and, as appropriate, other Kosovo authorities, political parties and other organizations in Kosovo and accredited international and non-government organizations to assist in fulfilling its responsibilities;

4. To supervise elections in Kosovo to ensure their openness and fairness in accordance with regulations and procedures to be agreed. For the elections, the Mission may be augmented with elections support personnel;

5. To report and make recommendations to the OSCE Permanent Council, the UN Security Council and other organizations on areas covered by UN Security Council Resolution 1199.

III *Specific Terms of Reference*

1. The Verification Mission will travel throughout Kosovo to verify the maintenance of the cease-fire by all elements. It will investigate reports of cease-fire violations. Mission personnel will have full freedom of movement and access throughout Kosovo at all times.

2. The Verification Mission will receive weekly information from relevant FRY/Serbian military/police headquarters in Kosovo regarding movements of forces during the preceding week into, out of or within Kosovo. Upon request of the Verification Mission Director, Mission personnel may be invited to accompany police within Kosovo.

3. The Verification Mission will look for and report on roadblocks and other emplacements which influence lines of communication erected for purposes other than traffic or crime control. The Mission Director will contact the relevant authorities upon receipt of such reports. These authorities will explain the reasons for the emplacements or else direct that the emplacements be removed immediately. The Verification Mission will also receive notification should emergent circumstances lead to the establishment of a roadblock for other than traffic or crime control-related reasons. The Mission Director may request the removal of any roadblock.

4. The Verification Mission will maintain liaison with FRY authorities about border control activity and movement by units with border control responsibilities through areas of Kosovo away from the border. The Verification Mission, when invited by the FRY authorities or upon its request, will visit border control units and accompany them as they perform their normal border control roles.

5. When invited or upon request, the Verification Mission will accompany police units in Kosovo as they perform their normal policing roles.

6. The Verification Mission will, to the extent possible, assist UNHCR, ICRC and other international organizations in facilitating the return of displaced persons to their homes, the provision of facilitative and humanitarian assistance to them by the FRY, Serbian and Kosovo authorities as well as the humanitarian organizations and NGO's. The Mission will verify the level of cooperation and support provided by the FRY and its entities to the humanitarian organization and accredited NGO's in facilitating procedural requirements such as issuance of travel documentation, expedited customs clearance for humanitarian shipments and radio frequencies. The Mission will make such representations as it deems necessary to resolve problems it observes.

7. As the political settlement defining Kosovo's self-government is achieved and implementation begins, the Mission Director will assist, both with his own resources and with augmented OSCE implementation support, in areas such as elections supervision, assistance in the establishment of Kosovo institutions and police force development in Kosovo.

8. The Mission Director will receive periodic updates from the relevant authorities concerning eventual allegations of abusive actions by military or police personnel and status of disciplinary or legal actions against individuals implicated in such abuses.

9. The Verification Mission will maintain liaison with FRY, Serbian and, as appropriate, Kosovo authorities and with ICRC regarding ICRC access to detained persons.

10. The Mission Director will, as required, convene representatives of national communities and authorities to exchange information and provide guidance on implementation of the agreement establishing the Verification Mission.

11. The Mission Director will report instances of progress and/or non-compliance or lack of full cooperation from any side to the OSCE and other organizations.

IV *Composition and Facilities*

1. A Director, together with headquarters staff to be determined by Verification Mission requirements.

2. 2000 unarmed verifiers from OSCE member states will be permitted. Headquarters and support staff included in this total. The Mission may be augmented with technical experts provided by OSCE.

3. A headquarters in Pristina.

4. Field presence in locations around Kosovo to be determined by the Mission Director.

5. A small liaison office in Belgrade.

6. Vehicles, communications and other equipment along with locally-hired interpreters and support staff which the Director deems to be required for the performance of the responsibilities of the Mission.

V *Field Presence*

1. Coordination centers will be established in the capital of each *opstina* in Kosovo with specific areas of responsibility, under the Mission Director located in Pristina.

2. Many *opstina* coordination centers will have one or more sub-stations in smaller towns/villages in the *opstina*. The number and location of sub-stations will vary from *opstina* to *opstina*, depending on the verification environment and past conflict situation.

3. The chief of each coordination center will maintain a liaison relationship with the *opstina* authorities and the local leadership of the ethnic Albanian and other communities. Each sub-station will be responsible for coordination with the local authorities, including the local leadership of main ethnic groups.

4. The number of verification personnel assigned to each coordination center and sub-station would depend on the complexity of verification issues in the particular area.

5. Each coordination center and sub-station would have appropriately configured vehicles with which to patrol its assigned area of responsibility.

Done at Belgrade on 16 October 1998 in two original copies in the English and Serbian languages.

FOR THE FEDERAL
REPUBLIC OF YUGOSLAVIA

H.E. Zivadin Jovanovic
Minister of Foreign Affairs

FOR THE ORGANIZATION
FOR SECURITY AND
COOPERATION IN EUROPE

H.E. Bronislaw Geremek
Chairman-in-Office